

REMARKS

This Amendment responds to the Office Action dated October 27 2009 in which the Examiner rejected claims 1-4, 6-12, 14-15 and 17 under 35 U.S.C. § 103.

As indicated above, claims 1, 9 and 17 have been amended in order to make explicit what is implicit in the claims. The amendments are unrelated to a statutory requirement for patentability.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving user input according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information, indicated by the auxiliary information, with reproduction position information from a later received second event notice to determine amount of elapsed time and (d) issuing a command for controlling reproduction operation of content based on the amount of elapsed time and user input. When a user inputs a skip operation, each content block is sequentially and automatically reproduced from its beginning for only a first predetermined time which is less than an amount of time to reproduce the content block. When a user inputs a play previous content block operation, a jump destination of a command is one of (1) a beginning of a current content block if the amount of elapsed time from a beginning of reproduction of the current content block is less than a second predetermined time and (2) a beginning of a previous content block if the amount of elapsed time from the beginning of reproduction of the current content block is equal to or greater than the second predetermined time.

By having a user input a play previous content block operation such that the jump destination is one of (1) a beginning of a current content block if an amount of elapsed time from a beginning of reproduction of the current content block is less than a second predetermined time and (2) a beginning of a previous content block if the amount of elapsed time from the beginning of reproduction of the current content block is equal to or greater than the second predetermined time, as claimed in claims 1, 9 and 17, the claimed invention provides an apparatus, method and program which can implement a variety of reproduction functions using predetermined commands. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-4, 6-12, 14-15 and 17 were rejected under 35 U.S.C. § 103 as being anticipated by *Kawamura, et al.* (U.S. Publication No. 2002/0044757).

Kawamura, et al. merely discloses a table for each available path including (a) a list of initial and final addresses, (b) a last entry point, (c) a play time and (d) a final system time of each track. It also includes for each track, a track number and a program number. The user can then jump directly to a specific track of a specific program [0117].

Thus, *Kawamura, et al.* merely discloses a table including information so that a user can jump directly to a specific track of a program. Nothing in *Kawamura, et al.* shows, teaches or suggests that when a user inputs a user input play previous content block operation, a jump destination of a command is one of (a) a beginning of a current content block if the amount of elapsed time from the beginning of the reproduction of the current content block is less than a predetermined time and (b) a beginning of a previous content block if the amount of elapsed time from the beginning of the reproduction of the current content block is equal to or greater than the

determined time as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses jumping to a specific track based upon table information.

Kawamura, et al. merely discloses programs are subdivided into tracks for a user so that the user can jump to another part such as “next” and “previous”, or by a direct track number selection. In the `path_descriptor`, there is a jump address present so that a jump to a proper entry point of the next track along the respective path is possible in a simple manner from any point denoted by arrow 59 in FIG. 5. From a previous jump, the address is given in FIG. 5 shown by arrows 57 and 58. In FIG. 5, the jump to the previous track for the first entry point of a section is denoted by arrow 57. At the further entry point is given the beginning of the actual track shown in arrow 58. The user may then jump back to the beginning of the present track and from there further back if desired [0112].

Thus, *Kawamura, et al.* merely discloses a user may jump back to a beginning of a present track or from there further back if desired. Nothing in *Kawamura, et al.* shows, teaches or suggests when a user inputs a play previous content block operation, a jump destination of a command is one of (a) a beginning of a current content block if the amount of elapsed time from a beginning of reproduction of the current content block is less than a determined time and (b) a beginning of a previous content block if the amount of elapsed time from the beginning of the reproduction of the current content block is equal to or greater than the determined time as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* merely discloses jumping to the beginning of a current track and from there further back if desired.

Additionally, *Kawamura, et al.* merely discloses a path descriptor is provided in the PSM of the entry sector and includes time codes for each path. By storing the time code for each of

the different paths of each entry sector, the exact elapsed time of reproduction of a particular path can be assessed from the path descriptor and displayed to the user [0108].

Thus, *Kawamura, et al.* merely discloses storing and displaying a time code for each of the different paths in each entry sector. Nothing in *Kawamura, et al.* shows, teaches or suggests when a user inputs a play previous content block operation, a jump destination of a command is one of (a) a beginning of a current content block if the amount of elapsed time from a beginning of reproduction of the current content block is less than a determined time and (b) a beginning of a previous content block if the amount of elapsed time from the beginning of reproduction of the current content block is equal to or greater than the determined time as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* merely discloses storing a time code for each of the different paths of each entry sector and display thereof to a user.

Finally, *Kawamura, et al.* merely discloses in Fig. 4 a video program is subdivided into two parts including a basic video information 30 and additional video information 40. The original version is indicated by the basic path 31 and section A. This basic version can also be played back on a simple device that lacks the means for recovering the path information. Sections K and L are indicated in the original video program and the sections X and Y are indicated in the additional video information 40. A selective version of the video program is indicated by part 41, formed by the sequence of sections K, X, L and Y. Such a path thus indicates at least one section of the additional video information. This develops an alternative version of the video program [0085].

Thus, *Kawamura, et al.* only discloses storing the basic video information and additional video information for the path information to develop alternative versions of the program. Nothing in *Kawamura, et al.* shows, teaches or suggests when a user inputs a play previous

content block operation, a jump destination of a command is one of (a) a beginning of a current content block if the amount of elapsed time from the beginning of reproduction of the current content block is less than a predetermined time and (b) a beginning of a previous content block if the amount of elapsed time from the beginning of the reproduction of the current content block is equal to or greater than the predetermined time as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses path information for basic video information and additional information.

Since nothing in *Kawamura, et al.* shows, teaches or suggests when a user inputs a play previous content block operation, a jump destination of a command is one of (a) a beginning of a current content block if the amount of elapsed time from the beginning of reproduction of the current content block is less than a predetermined amount and (b) a beginning of a previous content block if the amount of elapsed time from the beginning of the reproduction of the current content block is equal to or greater than the predetermined time as claimed in claims 1, 9 and 17, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. § 103.

Claims 2-4, 6-8, 10-12, and 14-15 depend from claims 1 and 9 and recite additional features. Applicants respectfully submit that claims 2-4, 6-8, 10-12 and 14-15 would not have been obvious over *Kawamura, et al.* within the meaning of 35 U.S.C. § 103 at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-4, 6-8, 10-12 and 14-15 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should

the Examiner find that the application is not now in condition for allowance, Applicants respectfully request the Examiner enters this Amendment for purposes of appeal.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

Date: December 16, 2009

By: 

Ellen Marcie Emas
Reg. No. 32,131
(202) 292-1530